

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
EIMONT BRONZINI,	:	
	:	
Plaintiff,	:	11 Civ. 2096 (KBF)
	:	
-v-	:	<u>MEMORANDUM DECISION</u>
	:	<u>& ORDER</u>
CLASSIC SECURITY, LLC,	:	
	:	
Defendant.	:	
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KATHERINE B. FORREST, District Judge:

On May 18, 2012, *pro se* plaintiff Eimont Bronzini ("plaintiff") filed a motion to disqualify this Court related to the May 2, 2012, decision granting defendant Classic Security, LLC's partial motion to dismiss. Plaintiff charges this Court with, *inter alia*, incompetence, corruption, laziness, naivety, failing to consider both parties' arguments and using the term "*inter alia*." For the reasons set forth below, plaintiff's motion is DENIED.

Any judge "shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." 28 U.S.C. § 455(a). The standard for disqualification is an objective one and recusal is required "if a reasonable person, knowing all the circumstances, would expect that the judge would have actual knowledge" of their bias or interest in the case. O'Neill v. Hernandez, No. 08 Civ. 1689, 2008 WL 2963634, at *1-2 (S.D.N.Y. Aug. 1, 2008) (quoting Liljeberg v. Health Servs.

Acquisition Corp., 486 U.S. 847, 861, 108 S. Ct. 2194, 100 L. Ed. 2d 855 (1988)).

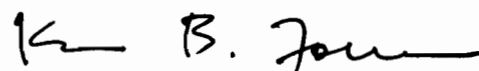
Plaintiff has set forth no facts that come close to suggesting that this Court had a personal bias or prejudice against him. Plaintiff is using the motion to disqualify as an outlet for him to voice his displeasure with the Court's May 2, 2012, decision to grant defendant's partial motion to dismiss. That is not a sufficient basis for disqualification. See Crawford-Bey v. New York Presbyterian Hosp., No. 08 Civ. 5454, 2010 WL 3156073, at *2 (S.D.N.Y. Aug. 10, 2010) (citing Liteky v. United States, 510 U.S. 540, 555, 114 S. Ct. 1147, 1157 (1994)).

Accordingly, the motion to disqualify is DENIED. The Clerk of the Court is directed to terminate the motion at Docket No. 29.

The Clerk of the Court is directed to mail this Order to plaintiff Eimont Bronzini at 2251 81st Street, #C-1, Brooklyn, NY 11214.

SO ORDERED.

Dated: New York, New York
June 21, 2012



KATHERINE B. FORREST
United States District Judge